

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
Plaintiff, ) 4: 08CR 3023  
vs. )  
JUAN DIEGO NILA, )  
Defendant. ) DETENTION ORDER  
PETITION FOR  
ACTION ON CONDITIONS  
OF  
SUPERVISED RELEASE

Pursuant to 18 U.S.C. § 3142(f) and § 3143(a) of the Bail Reform Act, and Fed. R. Crim. P. 32.1(a)(6),

**IT IS ORDERED,**

The above-named defendant shall be detained until further order, because:

X The defendant has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3153 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant is not likely to fail to appear or pose a danger to the safety of any person or the community.

\_\_\_\_ The defendant waived the right to a detention hearing and agreed to detention.

The Court's findings are based on the evidence presented in court and that contained in the court's records, and includes the following:

The defendant is likely to use drugs and has failed to keep probation advised of his whereabouts. He poses a risk of flight and a danger to the public. Defendant has not shown that any conditions or combination of conditions of release will sufficiently ameliorate these risks.

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**IT HEREBY IS FURTHER ORDERED:**

The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.

DATED: September 28, 2011

BY THE COURT:

s/*Cheryl R. Zwart*  
Cheryl R. Zwart  
United States Magistrate Judge